

Remarks:

Claims 1-5, 7-10, 12, 13, 15-21 are pending. Claims 1, 17, 18, and 20 have been amended. Claim 6 has been cancelled. Claim 22 is new.

§103 REJECTION:

The Examiner states that claims 1-10, 12, 13 and 15-21 stand rejected under 35 USC 103 as being anticipated by Corder et al in view of Heller et al.

For a rejection under 35 USC §103(a) to be proper, the Examiner must establish an “apparent reason” to modify the reference or to combine reference teachings. KSR Int’l Co. v. Teleflex, Inc., No. 04-1350 (U.S. Apr. 30, 2007). According to the United States Supreme Court, “[o]ften, it will be necessary ... to look to interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue. To facilitate review, this analysis should be made explicit.” KSR Int’l Co. v. Teleflex, Inc., No. 04-1350 (U.S. Apr. 30, 2007), slip op. at 14.

With respect to the claims, the Examiner states in the Advisory Action, dated January 12, 2009, that “Heller et al may disclose the locking mechanism as a lateral mechanism but it can be seen from the figures that the locking mechanism between the first (3) and second (4) panels locks the two panels together in the longitudinal direction.”

As noted above, claim 1 has been amended to recite, in part, that “a roof (3) which includes...a rear roof area (8), supported by a transverse support (18),...the front roof area (9) and the transverse support (18) of the rear roof area (8) are separated by a separation joint (7)...wherein the transverse support (18) is rigid and includes a rear edge (19) continuously overlapped by a flexible cover (6); wherein the rear roof area (8) is overlapped with the flexible cover (6) supported between the transverse support (18) and the rear edge (15) of the body (4); wherein the rear roof area (8) folds along the rear edge (19) such that the rear roof area (8) and

the transverse support (18) are displaced beneath the front roof area (9)...” [Emphasis added]. As also noted above, claim 17 has been similarly amended to recite, in part, “a transverse support (18) supporting the rear roof area (8) adjacent the separation joint (7)...wherein the transverse support (18) is rigid and includes a rear edge (19) continuously overlapped by a flexible cover (6); wherein the rear roof area (8) is overlapped with the flexible cover (6) supported between the transverse support (18) and the rear edge (15) of the body (4)...” [Emphasis added]. With respect to claims 1 and 17, Corder et al. fails to provide these missing elements, and no apparent reason is given to modify Heller et al. by adding these elements. Accordingly, the §103 rejections are overcome for at least this reason.

Additionally, claims 2-5, 7-10, and 12-16 depend from allowable independent claim 1 and claims 18-21 depend from allowable independent claim 17 and should be allowable for at least this reason as well. Therefore, reconsideration and withdrawal of the §103 rejection is respectfully requested.

AMENDED CLAIMS:

Support for amended claims 1, 17, 18, and 20 can at least be found in paragraphs [0029], [0030], [0032], [0035], [0036], and [0038]-[0040] and in Figures 1, 2, and 4-8. No new matter has been added.

NEW CLAIM:

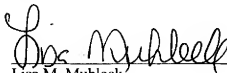
Support for new independent claim 22 can at least be found in paragraphs [0029], [0030], [0035], [0036], and [0040] and in Figures 2 and 4-8. No new matter has been added.

Conclusion

In light of the above amendments and remarks, it is believed that all claims are in condition for allowance, which action is respectfully requested.

Respectfully submitted,

Nils Kreiling et al.

A handwritten signature in dark ink, appearing to read "Lisa M. Muhleck", is written over a horizontal line.

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